

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL MITCHELL,

Petitioner,

v.

ANTHONY HEDGEPEETH, Warden,

Respondent.

No. C 11-02705 SBA (PR)

**ORDER GRANTING PETITIONER'S
SECOND REQUEST FOR EXTENSION
OF TIME TO FILE HIS OPPOSITION
TO MOTION TO DISMISS; AND
DIRECTING RESPONDENT TO FILE
RESPONSE TO PETITIONER'S OTHER
PENDING MOTION**

Petitioner has filed a second request for an extension of time in which to file his opposition to Respondent's Motion to Dismiss.


On November 18, 2011, the Court granted Petitioner's first request for an extension of time to file his opposition. The Court directed Petitioner to file his opposition no later than January 12, 2012. Petitioner now requests a second extension of time, stating that lockdowns at the prison have prevented his access to the law library. Having read and considered Petitioner's request, and good cause appearing, IT IS HEREBY ORDERED that Petitioner's request for an extension of time is GRANTED. The time in which Petitioner may file his opposition to Respondent's Motion to Dismiss will be extended up to and including **thirty (30) days** from the date of this Order.

Respondent shall file a reply brief no later than **fifteen (15) days** after the date Petitioner's opposition is filed.

Petitioner has also filed a document entitled, "Order to Show Cause for an [sic] Preliminary Injunction" (docket no. 26), in which he requests sufficient access to the prison law library and complains of "limitations that are too restrictive and constitute a denial of [his] rights to access [to] the courts." (Pl.'s Dec. 27, 2011 Mot. at 1.) The Court construes this document as a motion for an order directing the California Department of Corrections and Rehabilitation (CDCR) to allow him physical access to the Salinas Valley State Prison (SVSP) law library. Respondent has not responded to Petitioner's motion. Therefore, no later than **ten (10) days** from the date of this Order, the Court directs Respondent to respond to Petitioner's motion for an order allowing him access to the SVSP law library.

IT IS SO ORDERED.

DATED: 1/23/12


SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 PAUL MITCHELL,

6 Plaintiff,

7 v.

8 ANTHONY HEDGEPEETH et al,

9 Defendant.
10 _____/

Case Number: CV11-02705 SBA

CERTIFICATE OF SERVICE

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on January 25, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
16 in the Clerk's office.

16 Paul Mitchell G-21965
17 Salinas Valley State Prison
18 31625 Highway 101
19 P.O. Box 1050
20 Soledad, CA 93960-1050

21 Dated: January 25, 2012

22 Richard W. Wieking, Clerk
23 By: LISA R CLARK, Deputy Clerk
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25
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